IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4517 OF 2004

Julie Thomas Varghese & ors. ... Applicants

versus

Varghese Mathais M. & anr. ... Respondents

...

Ms. Monica Sakhrani with Ms. Swarna Jha, for the Applicants.

Mr. B.M. Bopardikar, for Respondent No.1.

Mr. K.V. Saste, A.P.P., for the State.

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CORAM : A.M.KHANWILKAR,J.

31st January 2005

P.C.:

1. Heard Counsel for the parties. Rule. Rule made returnable forthwith by consent. Mr. Bopardikar waives notice for Respondent No. 1. Mr. Saste, A.P.P., waives notice for Respondent No. 2. As short question is involved, petition taken up for final disposal forthwith by consent.

2. Respondent No. 1 has initiated criminal action against the Applicants being Criminal Case (C.C.) No. 346/S/2003, which is pending before the Metropolitan Magistrate, 27th Court, at Mulund, Mumbai. By this petition, the Applicants pray that the said criminal action be quashed. It is stated by the Counsel appearing for the parties that both sides have amicably resolved all the contentious issues pending between them and in that view of the matter, Respondent No. 1 is not interested in continuing with the criminal action against the Applicants. Parties are personally present in Court, who accept this position. In the circumstances, in the interest of justice, this petition deserves to be allowed in terms of prayer clause (a). Ordered accordingly.

(A.M.KHANWILKAR,J.)